



FEDERAL ELECTION COMMISSION
Washington, DC 20463

Dec 11 9 35 AM '97

SENSITIVE

MEMORANDUM

TO: The Commission

FROM: Lawrence M. Noble
General Counsel

BY:: Lois G. Lerner *[Signature]*
Associate General Counsel

SUBJECT: Shorter Voter Deadline for General Counsel's Report in MUR 3774

Pursuant to the Circulated Vote Provisions of Directive 52, the Office of General Counsel is circulating the attached General Counsel's Report on a 48-hour tally vote basis because of the time-sensitive nature of the statute of limitations extension agreement discussed in the report.



FEDERAL ELECTION COMMISSION
Washington, DC 20463

MEMORANDUM

TO: Office of the Commission Secretary

FROM: Office of General Counsel *ju*

DATE: December 11, 1997

SUBJECT: MUR 3774-Memo to the Commission

The attached is submitted as an Agenda document for the
Commission Meeting of _____

Open Session _____

Closed Session _____

CIRCULATIONS

DISTRIBUTION

SENSITIVE

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NON-SENSITIVE

☐

48 Hour TALLY VOTE

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24 Hour TALLY VOTE

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24 Hour NO OBJECTION

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INFORMATION

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COMPLIANCE

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Open/Closed Letters

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MUR

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DSP

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STATUS SHEETS

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Enforcement

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Litigation

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PFESP

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RATING SHEETS

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AUDIT MATTERS

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LITIGATION

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ADVISORY OPINIONS

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REGULATIONS

☐

OTHER


☐



FEDERAL ELECTION COMMISSION
Washington, DC 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/LISA DAVIS
COMMISSION SECRETARY 

DATE: DECEMBER 15, 1997

SUBJECT: MUR 3774 - Memorandum to the Commission.

The above-captioned document was circulated to the Commission
on Thursday, December 11, 1997.

Objection(s) have been received from the Commissioner(s) as
indicated by the name(s) checked below:

Commissioner Aikens	—
Commissioner Elliott	—
Commissioner McDonald	<u>XXX</u>
Commissioner McGarry	—
Commissioner Thomas	—

This matter will be placed on the meeting agenda for
Tuesday, January 06, 1998.

Please notify us who will represent your Division before the Commission on this
matter.

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
National Republican Senatorial Committee) MUR 3774
and Stan Huckaby, as treasurer, et al.)

GENERAL COUNSEL'S REPORT

I. BACKGROUND

This matter involves a complaint filed by the Democratic Senatorial Campaign Committee ("DSCC") alleging that the National Republican Senatorial Committee ("NRSC" or "Respondents") violated the Federal Election Campaign Act and Commission regulations by funneling \$847,000 in non-federal funds to non-profit organizations in order to influence certain U.S. Senate elections in 1992, 1993 and 1994.

II. DISCUSSION

On October 7, 1997, following the September depositions of three former NRSC employees involved in this matter, the General Counsel and other members of this Office met with NRSC counsel to discuss the possibility of pre-probable cause conciliation. The meeting, held at counsel's request, included NRSC counsel for this matter as well as counsel representing NRSC in the DSCC's private lawsuit filed as a result of the related Section 437g(a)(8) suit in this matter. Thereafter, by letter dated October 20, 1997, NRSC counsel requested pre-probable cause conciliation in this matter. Attachment 1.

Since this matter encompasses activity occurring in 1992, 1993 and 1994, this Office subsequently requested that Respondents sign an agreement extending the statute of limitations for 90 days, thereby tolling the statute of limitations during the preparation and negotiation of a Commission-approved conciliation agreement. This Office has requested similar agreements in

several other matters.

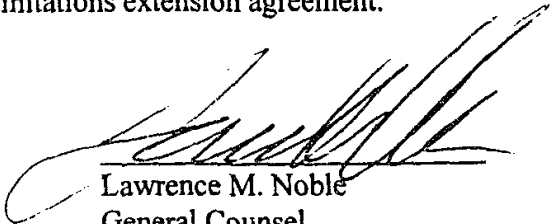
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III. RECOMMENDATION

Enter into conciliation with the National Republican Senatorial Committee and Stan Huckaby, as treasurer, prior to a finding of probable cause to believe, subject to execution of the attached statute of limitations extension agreement.

Date

12/10/97


Lawrence M. Noble
General Counsel

Attachments

1. NRSC's request for pre-probable cause conciliation
2. Statute of limitations extension agreement

Staff Assigned: Dawn M. Odrowski